

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ANDRE R. TUCKER,

Plaintiff,

: Case No. 2:20-cv-5335

-vs-

**Judge Sarah D. Morrison
Magistrate Judge Chelsey M.
Vascura**

ALVIS, INC., *et al.*,

:

Defendants.

ORDER

This matter is before the Court upon consideration of two Report and Recommendations (R&R) issued by the Magistrate Judge on October 20 and December 9, 2020. (ECF Nos. 3, 7.) In the initial R&R, the Magistrate Judge granted Plaintiff's request to proceed *in forma pauperis* and recommended dismissal of Plaintiff's claims for failure to state a claim upon which relief may be granted. (ECF No. 3.) However, in response to Plaintiff's Objection (ECF No. 4), the Magistrate Judge granted Plaintiff leave to amend his complaint. Plaintiff filed his First Amended Complaint on November 17. (ECF No. 6.)

In the second R&R, the Magistrate Judge performed an initial screen of the First Amended Complaint pursuant to 28 U.S.C. § 1915(e)(2) and recommended that Plaintiff be permitted to proceed with his federal and state-law claims related to the positions for which Defendants hired Ms. Hailey Fortson, Mr. James Hagerman, and Ms. Julianne Winston and the Court dismiss Plaintiff's remaining claims for failure to state a claim on which relief may be granted. (ECF No. 7) The

time for filing objections has passed, and no objections have been filed. Accordingly, the Court hereby **TERMINATES** the first R&R as moot (ECF No. 3) and **ADOPTS** the second R&R (ECF No. 7). The Court permits Plaintiff to proceed with his federal and state-law claims related to the positions for which Defendants hired Ms. Hailey Fortson, Mr. James Hagerman, and Ms. Julianne Winston, and **DISMISSES** Plaintiff's remaining claims.

IT IS SO ORDERED.

/s/ Sarah D. Morrison
SARAH D. MORRISON
UNITED STATES DISTRICT JUDGE